

The Brown Law Firm, P.C.

767 Third Avenue, Suite 2501, New York, NY 10017, (516) 922-5427

Timothy Brown, Esq.
tbrown@thebrownlawfirm.net

October 10, 2024

VIA ELECTRONIC FILING

The Honorable Michael A. Hammer
United States Magistrate Judge
for the District of New Jersey
Martin Luther King Building
50 Walnut Street
Newark, NJ 07102

Re: *Rago v. Mercer, et al.*, Case No. 2:23-cv-20749-ES-MAH (D.N.J.); *Ford v. Mercer*, Case No. 2:24-cv-04894-ES-MAH; and *Cheng v. Mercer*, Case No. 2:24-cv-06567-ES-MAH; Consolidation, Operative Complaint, and Briefing Following Meet and Confer Pursuant to Court's Order

Dear Judge Hammer:

We are counsel for plaintiff Al Rago in the shareholder derivative action brought on behalf of Tingo Group, Inc., *Rago v. Mercer, et al.*, Case No. 2:23-cv-20749-ES-MAH. Pursuant to the Court's Text Order on September 26, 2024 (ECF No. 63), the parties in the three above-captioned shareholder derivative actions resumed their efforts to reach a consensus on the designation of an operative complaint, consolidation, and briefing schedules. The parties formally met and conferred on October 2, 2024, and October 7, 2024. Counsel for plaintiffs in each of the three actions separately conferred between that time and were able to reach agreement on consolidation and leadership for the consolidated case. After reaching a consensus, the parties prepared a Stipulation and [Proposed] Order Consolidating the Related Shareholder Derivative Actions and Appointing Co-Lead Counsel for Plaintiffs (the "Stipulation"). The Stipulation is filed concurrently herewith and includes a proposed schedule for plaintiffs to file a Consolidated Amended Shareholder Derivative Complaint and for defendants' response(s) to that operative complaint.

Counsel is available should the Court have any questions.

Respectfully submitted,

/s/ Elizabeth Donohoe
Elizabeth Donohoe

Timothy Brown
THE BROWN LAW FIRM, P.C.
767 Third Avenue, Suite 2501
New York, NY 10017
Tel: (516) 922-5427

Attorneys for Plaintiff Rago

/s/ Lee Squitieri
Lee Squitieri
SQUITIERI & FEARON, LLP
305 Broadway, 7th Floor
New York, New York 10007
Telephone: (212) 421-6492
Email: lee@sfclasslaw.com

Fletcher Moore
MOORE LAW, PLLC
30 Wall Street, 8th Floor
New York, New York 10005
Telephone: (212) 709-8245
Email: fletcher@fmoorelaw.com

Attorney for Plaintiff Ford

/s/ Melissa A. Fortunato
Melissa A. Fortunato
Fortunato@bespc.com
BRAGAR EAGEL & SQUIRE, P.C.
810 Seventh Avenue, Suite 620
New York, NY 10019
Tel: (212) 308-5858

Badge Humphries
Humphries@bespc.com
BRAGAR EAGEL & SQUIRE, P.C.
2113 Middle Street, Suite 305
Sullivan's Island, SC 29482
Tel: (843) 883-7444

Attorneys for Plaintiff Cheng

/s/ Joseph A. DiPisa
Joseph A. DiPisa

joe@pitcofflawgroup.com
PITCOFF LAW GROUP, PC
250 Park Avenue, 7th Floor
Tel: (917) 883-7444

*Attorneys for Defendant Darren
Mercer in the Rago and Cheng Actions*

/s/ Young Yu
Joshua A. Zielinski
Young Yu
James H. Leckie
O'TOOLE SCRIVO, LLC
14 Village Park Road
Cedar Grove, NJ 07009
Tel: (973) 239-5700
jzielinski@oslaw.com
yyu@oslaw.com
jleckie@oslaw.com

Attorneys for Defendant John J. Brown

/s/ Emma Spiro
Emma Spiro
Guy Petrillo (*pro hac vice*)
Christina Karam (*pro hac vice*)
Petrillo Klein + Boxer LLP
655 Third Avenue, 22nd Floor
New York, NY 10017
Tel: (212) 370-0330
espiro@pkbllp.com
gpetrillo@pkbllp.com
ckaram@pkbllp.com

Attorneys for Defendant Robert Benton

cc: All Counsel of Record (by ECF)